

REMARKS

Applicants respectfully request further examination and reconsideration in view of the amendments above and the arguments set forth fully below. Claims 1-14 were previously pending in this application. Within the Office Action, Claims 1-14 are rejected. By the above amendments, Claim 9 is amended. Claim 10 is canceled. New Claim 15 is added. Accordingly, Claims 1-9 and 11-15 are now pending in this application.

Claim 9 is amended to include the subject matter of the canceled dependent Claim 10. As such, the amendment to independent Claim 9 does not raise new issue and does not raise new matter.

New dependent Claim 15, which depends on the independent Claim 9, is directed to subject matter similar to that already claimed in dependent Claim 7, which depends on the independent Claim 4. As such, the new dependent Claim 15 does not raise new issue and does not raise new matter.

Rejections Under 35 U.S.C. § 103

Claims 1-8

Within the Office Action, Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,970,133 issued to Salimando in view of U.S. Patent No. 6,289,090 issued to Tessler et al. (hereinafter "Tessler"). The Applicants respectfully traverse this rejection.

The present invention is directed to an audible confirmation system that utilizes an intelligent network architecture 100. The intelligent network architecture 100 includes data links (indicated by solid lines in Figure 1) and control links (indicated by dashed lines in Figure 1). A signal control point 110 provides control signals via the control links. These control signals are directed to a calling name database 130, switches 150 and 160, and a text to speech converter 140. Data links are provided for voice, or audio transmission. The caller 170, the switches 150 and 160, the calling name database 130, and the text to speech converter 140 are all coupled using data links. The signal control point 110 is not directly coupled to either the caller 170, the

switches 150 and 160, the calling name database 130, or the text to speech converter 140 using a data link. The signal control point is independent of a call routing path (from the caller 170, through the switches 150 and/or 160, to a called party), and the signal control point is independent of any data paths (data links) between the calling party 170, the calling name database 130, and the text to speech converter 140.

Salimando teaches a communication network including an exchange carrier network 10, a calling router 50 connected to a calling party 70, and a called router 60 connected to a called party 80. The exchange carrier network includes a switching system 20 that performs call processing and routing functions for calling party 70 and called party 80. A calling party 70 initiates a call through the calling router 50. The switching system 20 receives the call, extracts call information from the call, and accesses information from a database 40 specific to the called party 80. A portion of the accessed information is passed to an announcement system 30 to be converted from text to voice signals. The announcement system 30 transmits the converted voice signals to the calling party 70. Salimando is directed to an audible system that translates text data in the database 40 to audio signals, e.g. voice signals, and presents the audio to the calling party. The system of Salimando is specifically designed so that the database 40 stores text or audio data (Salimando, col. 3, lines 20-21). Salimando does not teach storing video or display information in the database 40. Salimando also does not teach displaying video to the calling party 70.

It is stated within the Office Action, that Tessler discloses a signal control point that is independent of the database, and that it would have been obvious to one of ordinary skill in the art to modify Salimando with a system wherein the signal control point is independent of the database as taught by Tessler. The Applicants contend that such a combination is not feasible in view of the design limitations taught within Salimando and Tessler.

Tessler explicitly teaches a system to display information on a customer premises equipment (CPE). Tessler is cited for distributing display elements (data) to local databases of the central office switches (Tessler, col. 10, lines 13-15, and lines 15-22). However, display elements, as taught in Tessler, are not the same as text or audio data, as taught in Salimando. Therefore, using the teachings of Tessler, specifically, separating display element data from the central control point, is not feasible within the text data environment of Salimando. Therefore, the process of making the control point independent of the database, as suggested in Tessler, and

combining this process within the system of Salimando, as proposed in the Office Action, is not proper, as the text data environment of Salimando would necessarily require modifications to accommodate the display data environment of Tessler. Such modifications are beyond the teachings and scope described in either Salimando or Tessler.

The independent Claim 1 is directed to an audible confirmation system in an Intelligent Network for allowing a calling party to audibly hear an audible name of a call recipient. The audible confirmation system comprises a database configured for storing a plurality of text names wherein each of the plurality of text names is associated with a unique identifier, a signal control point coupled to the database, the signal control point independent of a call routing path and independent of a data path between the calling party, the database, and a text to speech converter, and configured to control the retrieval of a select one of the plurality of text names in response to a call initiated by the calling party directed to the unique identifier, and the text to speech converter coupled to the control point and configured to convert the selected one of the plurality of text names into the audible name. As discussed above, the cited combination of Salimando and Tessler is not proper. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 1 is allowable.

Claims 2 and 3 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claims 2 and 3 are each also allowable as being dependent upon an allowable base claim.

The independent Claim 4 teaches a method of allowing a calling party to audibly identify a call recipient. The method of Claim 4 includes initiating a call from the calling party directed to an identifier belonging to the call recipient, matching the identifier to a text name corresponding to the recipient within a database by a signal control point independent of a call routing path and independent of a data path between the calling party, the database, and a text to speech converter, retrieving the text name of the recipient from the database, converting the text name of the call recipient to an audible name, and audibly playing the audible name of the call recipient to the calling party prior to connecting the call. As discussed above, the cited combination of Salimando and Tessler is not proper. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 4 is allowable.

Claims 5 and 6 are each dependent upon the independent Claim 4. As discussed above, Claim 4 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claims 5

and 6 are each also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Salimando in view of Tessler, and further in view of U.S. Patent No. 6,078,655 issued to Fahrer et al. (hereinafter “Fahrer”). The Applicants respectfully traverse this rejection.

Claim 7 is dependent on the independent Claim 4. As discussed above, Claim 4 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claim 7 is also allowable as being dependent on an allowable base claim.

Within the Office Action, Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Salimando in view of Tessler and Fahrer, in further view of U.S. Patent No. 6,650,737 issued to Finnigan. The Applicants respectfully traverse this rejection.

Claim 8 is dependent on the independent Claim 4. As discussed above, Claim 4 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claim 8 is also allowable as being dependent on an allowable base claim.

Claims 9-14

Within the Office Action, Claims 9-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Finnigan in view of Salimando combined with Tessler. The Applicants respectfully traverse this rejection.

Within the Office Action, it is stated that Finnigan discloses pre-recording a voice message by the calling party directed toward an identifier belonging to the call recipient. To support this assertion, column 5, lines 25-30 of Finnigan is cited. In column 5, lines 25-30, Finnigan teaches “[e]ither of VMSFUs 22 and 24 may be an originating VMSFU that has accepted a voice message from respective voice messaging systems 16 and 18. By accepting the voice message, the originating VMSFU assumes responsibility for delivering the voice message and/or returning a delivered or not delivered notification to the originating voice message system.” Finnigan defines a “voice message” as what is commonly referred to as “Voice Mail messages” (Finnigan, col. 4, lines 57-58). Voice Mail messages are well known in the art as voice messages left by an originator for a recipient on the recipient’s voice mail system.

The independent Claim 9 includes the limitation of “pre-recording a voice message by the calling party”. The dependent Claim 10 includes the limitation of “audibly delivering the voice message to the call recipient subsequent to audibly playing the audible name to the calling party” (emphasis added). Based on the antecedent basis, “the voice message” in dependent Claim 10 refers to “a voice message” in independent Claim 9. Within the Office Action, it is stated that Finnigan teaches the claimed limitation in dependent Claim 10. To support this assertion, column 2, lines 20-30 of Finnigan is cited. In column 2, lines 20-30, Finnigan teaches “...virtually all voice message systems return to an originator a recipient’s voice signature to prevent inadvertently sending a voice message to an incorrect recipient. The voice signature is typically the recorded name of the recipient user spoken in the user’s voice, for example, ‘John Smith.’...When an originator enters a recipient voice message address, the voice message system accesses the user file and returns the associated voice signature to the voice message originator to authenticate the entered voice message address.” A voice signature is also well known in the art as a greeting. The greeting is played to an originator (calling party) to identify the voice mailbox that has been accessed. After the greeting is played, a tone is typically played and the originator can leave a voice message after the tone. The voice message left by the originator is clearly different than the greeting played by the recipient’s voice mail system. Therefore, Finnigan does not teach audibly delivering the voice message to the call recipient subsequent to audibly playing the audible name to the calling party, as claimed. Finnigan teaches audibly delivering a voice signature (greeting).

Further, column 2, lines 20-30 of Finnigan teaches that the voice signature is provided by the recipient. The claimed limitation includes “the voice message” where the antecedent basis for “the voice message” in Claim 9 states that a voice message is pre-recorded by the calling party. Therefore, Finnigan does not teach audibly delivering the voice message, where the voice message is pre-recorded by the calling party, as claimed.

By the above amendments, independent Claim 9 is amended to include the subject matter of the dependent Claim 10. As such, the amendment to independent Claim 9 does not raise new issue and does not raise new matter. As discussed above, Finnigan does not teach audibly delivering the voice message to the call recipient subsequent to audibly playing the audible name to the calling party. Finnigan also does not teach audibly delivering the voice message, where the voice message is pre-recorded by the calling party. Within the Office Action, neither Salimando

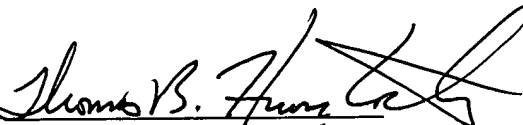
nor Tessler are cited for teaching pre-recording a voice message by the calling party directed toward an identifier belonging to the call recipient, and audibly delivering the voice message to the call recipient subsequent to audibly playing the audible name to the calling party. As such, the amended independent Claim 9 is allowable over Finnigan, Salimando, Tessler, and their combination.

Claims 11-14 are dependent on the independent Claim 9. As discussed above, Claim 9 is allowable over the teachings of Finnigan, Salimando, Tessler, and their combination. Accordingly, Claims 11-14 are each also allowable as being dependent on an allowable base claim.

For at least the reasons given above, Applicants respectfully submit that all of the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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Dated: 6.22.05

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.
Date: 6/22/05 By: 